



## Mid-Month Council Meeting Minutes July 22, 2015

### 7:00 pm - Meeting

#### I. Call to Order: 7:04 pm

#### II. Opening Ceremonies

- a. Roll Call: Mayor Jermaine Hatton, CM John Ness, CW Lorraine Gorman, CM Rudy Sutton, CW Cindy Cook, TE Owen Hyne, TM Dawson Green, TC Cathy Beaver
- b. Recognition of Visitors: Al Harrington
- c. Pledge of Allegiance: Pledge was said
- d. Announcements: The flags are flying at half-staff in honor of the marines that lost their lives in Tennessee.

#### III. Additions/Deletions to Published Agenda

- a. CM Ness motioned, CM Sutton seconded with unanimous vote to approve the agenda as written.

#### IV. Council Minutes

- a. Approval of June 17, 2015 Mid-month minutes
  - CM Ness motioned, CM Sutton seconded with unanimous vote to approve the minutes as written.
- b. Approval of July 1, 2015 Council minutes
  - CM Ness motioned, CM Sutton seconded with unanimous vote to approve the minutes as written.

#### V. Mayor's Report

a. **Discussion of HB 192** – This bill prohibits open carry of guns in/on municipal property and passed leg hall the last day of session. Should be signed by the Governor any time now. Once signed, we can opt in by ordinance. The bill was written by Attorney Max Walton and he wrote the ordinance so it will be uniform across the state. This bill gives municipalities the same rights as federal and state government have.

- CM Ness clarified the bill permits us to opt in from anyone open carrying guns in or on municipal property. It doesn't prohibit anyone from carrying concealed or law enforcement authorities from carrying.
- Mayor Hatton said that is correct. He added that Newark and Elsmere have had many issues with people coming to meetings with open carry and some have felt very threatened. Anyone in the State of Delaware can open carry as long as the gun is registered.
- There was a long discussion about the benefits and doubts about this bill and adopting the ordinance.
- Mayor Hatton stated no ordinance will solve all problems but at least we would have it on the books if we ever need it. He asked Council to think about whether or not they want to adopt the ordinance.

b. **Discussion on Finley Street property** – this is the property the Town bought from the school district for \$1.00. It also passed at leg hall the last day of session. We need to decide what we are going to do with the property. We can do anything we want with it.

- Talked to the historical society about the marker for the old school house and about getting our historical marker back up. Our marker will be put at 141 Main Street once all the grading is done. Almost all the properties east of 141 Main are enclaves and we want the marker in incorporated Townsend.
- Met with Delmarva today about some of our electric bills. We could consider putting solar panels on the property to help defer some of our electric cost and potentially become a source of revenue. MSA helps with some of the electric bills but could go away at any time. Once the new developments are turned over, there will be additional bills. There may be grants out there for solar.
- There was a discussion about LED lighting. Lights must be at least 10 years old before Delmarva will replace the bulbs with LED. This will only save us about \$1.00 per light and overall the LED are much

brighter lights and will go against our light brightness ordinance and we just passed an LED ordinance. Electric costs keep going up.

- We could also store our Konox boxes on the property and get them out of the park.
- Council will think about uses for the property and discuss it again at a later date.

c. **Municipal App** – Many municipalities are moving to Town apps for smart phones. Much faster way to getting info to the residents. People not really looking at the website, more social media.

- After a long discussion Mayor Hatton asked CW Cook to research Towns that use municipal apps and get information on the cost, etc.
- Mayor Hatton ensured that Council knew the fire company doesn't use any alarms because of people complaining. He added he feels this is really wrong, the fire company was there first and should be able to use their alarms. Different alarms signal what the call is for.

d. **Proclamation for Social Security**

- Social Security is getting ready to celebrate their 80<sup>th</sup> anniversary and contacted the Town to see if we would support the anniversary by proclamation. They put the proclamation together for all Towns so all are uniform. Think it would be nice to read it at the August 5, 2015 meeting for approval. All of Council agreed.

## **VI. Reports**

a. Fred Townsend III, Town Attorney – not here

b. Owen Hyne, Town Engineer

- TVI – looking at paving Tracy Circle and several other locations. Before they do this we have to mark where roadways need fixed.

- At the last meeting some residents mentioned some Stormwater issues. There is a matching grant out there right now for Stormwater and would be fairly easy to get.

- TM Green said prior to him coming to Town, RVB did a Stormwater study and only found 3 problem areas. He asked Owen for a copy of this study instead of starting from scratch.

- There was an issue about the puddling and drainage issue at Dollar General.

- TM Green said there is a drainage problem at Ginn and Main when it rains hard. All of the storm drains are very shallow which contribute to the problem.

- Streetscape – staying in contact with the bonding company, TA Townsend involved.

- CM Ness stated it sounds like this could be a long term issue.

- TE Hyne said it will be more than 6 months. Will continue to follow up in writing.

- CW Gorman asked about the gator bags, who is supposed to water the trees or should the bags be taken down.

- Mayor Hatton said the contractor is responsible for the trees for 2 years per the contract. Don't want to do anything that could void that. Cutting down the tree on Main Street was different; it had been hit and was a safety hazard.

- CM Sutton asked TE Hyne who is responsible for weeding the sidewalks and curbs where the streetscape has been done. TE Hyne stated the resident is responsible for the sidewalk in front of their homes.

- 141 Main Street – building is being gutted, contractor working hard.

- a) Received several comments from DelDot. They want to take 30 feet in front of the property and want the Town to dedicate it to the State. They own 40 feet now, want 80 feet. All the other properties on Main they own 60 feet, going to push for that rather than 80 feet.

- b) Talked to contractor about several issues.

- c) CM Sutton asked for a set of drawings a while ago and asked when he can get them.

- d) TE Hyne stated the plans aren't finalized as there are still several issues with the fire marshal. Will keep you updated and bring the plans as soon as they are done.

- e) It's possible the fire marshal is going to require a second stairwell, second means of egress, from the 3<sup>rd</sup> floor. Will be cheaper to put this on the outside of the building. Can be put up on the side of the building facing the neighboring house.

f) Also, the sunroom on the 2<sup>nd</sup> floor has water damage, which we knew going into this. We are going to have to replace some of the framing that was impacted by the water damage.

g) The contractor is going to be able to skim coat and use the existing hardwood floor for a base for the new floor. This will save some money.

h) Had planned to use a large engineered beam in the meeting room but the contractor found an existing beam that they can use which will also save money.

c. Dawson Green, Town Manager

- Have a meeting with DelDot at intersection of South and Main Street next week.
- Have been trying to get the trash can anchored back into the sidewalk in front of the church.

No contractor wanted to do it, too small a job so CM Sutton said he will do it.

- There is an issue with importing the taxes to Edmunds; the county has to format them differently. Hope to get them out by the end of the month.

- Interviewing the 2 applicants tomorrow for the part time seasonal job, one at 10:00 am and the other at 6:45 pm.

- Had George remove one of the rims from the basketball court, it has been damaged. The backboards have also been lowered. Can't find a hoop locally so will have to order one.

- CM Ness mentioned the cameras that cost \$7,200.00 and they are literally bullet proof.

- Talked to Dollar General about putting the metal racks from deliveries away after the delivery is done.

- There were comments about the speed bumps in the parking lot. They put them there because people were constantly cutting through the parking lot instead of waiting for the light.

## **VII. Committee Reports**

a. Finance: Chair – Mayor Jermaine Hatton

- Met with PNC yesterday to discuss the overall accounts and see how the money can work better for the Town to offset the fees we were charged. The line in the sand never reconciled any of the bank accounts so we didn't know about the fees. They are looking into refunding the fees and we won't be charged any fees going forward.

- Also met with Tony at Metlife yesterday. Our portfolio is earning some money, made \$14,000 this year. We have a conservative portfolio. We have approximately 2.2 million in our Metlife accounts.

- The fed is meeting in September and there may be a rate hike, have to wait to see what happens.

- Spoke with Debbie Horn yesterday. She should be here the end of August to give her final audit report for 2014. They were here last Thursday. She found 3 months of transactions that took place the 1st quarter of 2014 that didn't show up in the Edmunds system and really threw off our numbers. She was off by \$180,000.00 but was able to track it down and found the money was deposited but the next step was never done so the money never showed up in our accounting system. One of the checks was \$52,000.00. It is all fixed now and we are spot on dollar for dollar. There are some additional accounting adjustments that have to be done because pre line in the sand didn't put debits and credits in the system correctly, they were put in backwards.

b. Public Works: Chair - CM Rudy Sutton

- 141 Main Street – think the contractor is doing well, moving forward and feel confident he has Town interest at heart.

- Concerned about the fire marshal requesting a second stairway escape. It will cost the Town some money.

- CM Sutton thanked TM Green for meeting with him, he called him about the speeding down Main Street and they met to discuss options to slow people down. We discussed possibly getting speed bumps.

- Mayor Hatton said the State won't permit speed bumps on Main Street.

- After a long discussion on what the Town can do to alleviate the speeding problem, CM Sutton said he will talk to DelDot for some suggestions.

- c. Land Use & Development: Chair – Mayor Jermaine Hatton
  - There is a potential buyer for the property on Cannery Lane.
  - There is a potential buyer for Diamond State.
  - A couple of developers have contacted as a result of the newspaper article and would like to come to Town to build. They are willing to fight with us.
- d. Public Safety: Chair – CM John Ness
  - Nothing more to report.
  - Discussed the Code Red System for Townsend.
  - CW Cook asked CM Ness to check with Lt. Paskevicius about the vehicle on Main Street across from Townsend Village that was spray painted.
- e. Community Relations: Chair – CW Cindy Cook
  - The flags response was tremendous; many residents came out and thanked the Scouts as they put them in the yards. It was very well received with the exception of one resident who the Scouts missed. She was very upset and I offered to bring one over immediately. We agreed I would bring it in the morning, which I did.
- f. Parks & Recreation: Chair – CW Lorraine Gorman
  - Park Maintenance Work
    - a) Excited about the interviews tomorrow, hope to have someone start soon.
  - National Wildlife Federation update
    - a) Sent our re-certification documents in several weeks ago, should know soon if we met all the requirements to be re-certified.
  - School of Rock Concert – Saturday, July 25, 2015 - 6:00 pm – 8:00 pm
    - a) Only one band will be coming now, someone moved from the second band and they broke up.
  - Movie Night Under the Stars – Friday, August 7, 2015 @ 8:30 pm
    - a) The movie is Boxtrolls. I will be passing out flyers to the different business in Town this week.
  - Town Fair – 10<sup>th</sup> Anniversary – Saturday – 9/26/15 – Parade @ 10:00 am, Fair 11:00 am – 3:00 pm
    - a) Haven't received as many donations this year as last. Please talk to your contacts to see if they are going to support the fair this year and ask them to get the checks sent in.
  - Stoppit - New Castle County has partnered with the State and DelDot for this program. It is a program to try and stop people from dumping in the Stormwater drains to help protect the environment.
  - Mayor Hatton asked CW Gorman if she has contacted the Mayor of Smyrna about having the inmates clean the Town (as they do in Smyrna). All you have to do is feed them lunch. CW Gorman said she would look into it.
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#### **VIII. Citizens Comments & Participation:**

- a. Mr. Harrington said he can't hear at the meetings at the fire hall, even sitting in the front row and don't think hearing aids would even help. The air conditioner is very loud.
- b. Mayor Hatton said we won't have to hold meetings there in the near future and the problem will be resolved.

**IX. Motion to Adjourn for Executive Session:** 9:06 pm, CM Ness motioned, CM Sutton seconded with unanimous vote.

#### **X. Executive Session:**

- a. Discussion of Town personnel matters in which the names, competency and abilities of individual employees are discussed pursuant to 29 Del.C. 10004 (b) (9).

- XI. Motion to close Executive Session & Re-convene Mid-Month Meeting:** 10:32 pm, CM Ness motioned, CW Cook seconded with unanimous vote.
  - XII. Adjournment:** 10:33 pm, CM Ness motioned, CW Cook seconded with unanimous vote.
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